# Sutter Mutual Water Company

# SBx7-7 Water Measurement Compliance Program

*Prepared By:*

MBK ENGINEERS
1771 Tribute Road, Suite A
Sacramento, CA 95815
916/456-4400
916/456-0253 (fax)

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# Sutter Mutual Water Company

# SBx7-7 Water Measurement Compliance Program

## PURPOSE

This SBx7-7 Water Measurement Compliance Program (Program) has been developed by the Sutter Mutual Water Company (Company) to comply with, the requirements of Water Code Section 10608.48 (WC §10608.48) and the Agricultural Water Measurement Regulation, CCR §597. The Program will become a component of the Company's Agricultural Water Management Plan. Specifically, the Program outlines how the Company has or intends to address the Efficient Water Management Practices (EWMPs) identified in WC §10608.48.

WC §10608.48(a) states that agricultural water suppliers *"shall implement efficient water management practices pursuant to subdivisions (b) and (c)."* Subdivision (b) identifies the following two *"critical efficient water management practices:*

*(1) Measure the volume of water delivered to customers with sufficient accuracy to comply with subdivision (a) Section 531.10 and to implement paragraph (2).*

*(2) Adopt a pricing structure for water customers based at least in part on quantity delivered."*

Subdivision (c) identifies several "additional" EWMPs that are to be implemented by agricultural water suppliers *"if the measures are locally cost effective and technically feasible."* Both the Critical and Additional EWMPs are discussed below.

## CRITICAL EFFICIENT WATER MANAGEMENT PRACTICES

California Code of Regulations (CCR) §597, approved on July 11, 2012, defines how agriculture suppliers comply with WC § 10608.48(b)(1). The Company currently measures its deliveries to all customers and believes it is in compliance with the provisions of Section 10608.48(b)(1) and the measurement accuracy provisions of CCR §597. The Company's water delivery measurements are described in the 2006 Sacramento Valley Regional Water Management Plan (RWMP) and its 2009 and 2010/2011 updates, which have been prepared in accordance with the United States Bureau of Reclamation's (USBR) Regional Criteria. The Company intends to meet the measurement certification requirements of CCR §597 as described below.

## A. Water Delivery Measurement

As described in RWMP and 2010/2011 Plan Update, the Company's diversions from the Sacramento River are currently measured using flow meters and pump flow charts. Flows in laterals are measured at the lateral headgates based on headgate position and differential head pressure. Drain lift pump flows are measured using power consumption records and pump capacity information or pump curves. Drainage leaving the District is measured using a formula developed by the California Department of Water Resources (DWR) for the main drainage discharge pump station.

Deliveries to fields within the Company are made through three general types of devices, rated gates, over pour checks, and undershot checks. Currently, the Company measures and records water deliveries to fields at each turnout. For rated gate turnouts, the gate opening and water levels on both the upstream and downstream side of the gate are measured and recorded together with the date and time of the readings. Flow rates are determined from tables developed by the gate manufacturer and are also recorded. Readings at each turnout are typically made twice daily; however, additional readings are made when deliveries are first started and when conditions within the canals are fluctuating or changes in deliveries are made. Similar measurements are made for undershot checks; the opening at the bottom of the check is set or measured, the differential head pressure is determined by measuring the water levels on either side of the check and the flow rates are read from tables developed from suppressed orifice flow equations. Over pour checks are used mainly to maintain water levels in laterals and delivery canals; however, in some cases they are used for turnout deliveries. These devices are limited to locations where there is sufficient fall over the check to allow for accurate measurement. In these locations, deliveries are measured using the ITRC Weir Stick which allows the flow rate to be calculated based on the width of the check structure and the reading on the weir stick. As with the other two devices readings are made and recoded twice per day or more often if warranted. For all turnouts the volume delivered is calculated based on the flow rate data recorded for each site and time of delivery.

Table 1 below identifies the number and type of turnout measurement devices along with an estimated level of volumetric accuracy for each device.

**Table 1 – Summary of Turnout Structures**

| Measurement Type | Number[1] | Estimated Accuracy | Reading Frequency | Maintenance Frequency |
|---|---|---|---|---|
| Rated Gate | 357 | ±6% to ±12% | Bi-Daily or as needed | Annual / as needed |
| Over Pour Check | 14 | ±6% to ±12% | Bi-Daily or as needed | Annual / as needed |
| Undershot Check | 95 | ±6% to ±12% | Bi-Daily or as needed | Annual / as needed |
| Total | 466 | | | |

[1] The number of each type of device will be verified during the inspection and certification process.

## 1. Certification Program

The Company intends to certify that the existing measurement devices meet the accuracy requirements for existing measurement devices using field inspections and analysis as described in CCR §597.4(b)(3). The initial certification process will include determining volumetric accuracy of each type of device under standard conditions, development of protocols to confirm each of the existing devices are installed and maintained to the manufacturer's recommendations, design specifications, or industry recognized standards. All field inspections will be conducted by individuals trained in the use of the field inspection techniques and will be documented in a report approved by an engineer. In addition to the field inspections, current operation and maintenance practices will be reviewed to assure they meet best professional practices. A summary of the operation and maintenance practices, together with any recommendations for changes, will be included in the report approved by the engineer. The initial estimate of the cost to develop and implement the certification program and to prepare the report required pursuant to CCR §597 is $190,000. The cost estimate may be revised as the certification program developed and refined. The Company intends to conduct the certification program over a three year period. Table 2 below provides the anticipated schedule for implementation.

## 2. Finance Plan

As identified above, the costs to certify the accuracy of the Company's existing turnout measurements and to comply with the requirements of SBx7-7 are estimated to be approximately $190,000. The Company proposes to conduct the Program over a three year period. Table 2 below identifies the estimated annual Program costs. In order to offset the impact of these added costs on the Company and its customers, the Company intends to seek funding though any grants that may be available from either the DWR or the USBR.

**Table 2 – Schedule of Certification Tasks**

| Task | 2013 | 2014 | 2015 |
|---|---|---|---|
| Development of Inspection Protocols, Review of O&M Practices and Procedures | X | | |
| Field Inspections, Testing, and Quality Control | X | X | X |
| Document Results and Preparation of Report by Engineer | | | X |
| Initial Estimate of Annual Costs | $90,000 | $40,000 | $60,000 |

### 3. Corrective Action Plan

As identified above, the Company believes its existing measurement devices meet the accuracy requirements of CCR §597. A plan for corrective action will be developed following completion of the certification program if it is determined that the existing measurement devices or practices do not meet the accuracy requirements of the regulation.

## B. Pricing Structure

Prior to 2003, the Company charged customers for the volume of water delivered using the existing devices and methods described above. Beginning in 2003, the Company's Board changed the pricing policy to charge users based on acreage and duties for various crop types. The duties are based on generally recognized quantities of water required for each crop type, e.g. the duty for crops with higher water demands are greater than those with lower demands. Although the pricing policy changed, the Company has continued to measure and record deliveries at each turnout.

Once the certification plan described under Critical EWMP #1 has been completed, the Company's Board will consider and develop an appropriate pricing policy based in part on the measured volume delivered to customers in accordance with Water Code Section 10608.48(b)(2).

The results of the certification program, including the report approved by an engineer as required under CCR §594.4, together with any necessary corrective actions, and a summary the actual costs to implement the Program will be included with the Company's next update to the AWMP. Changes to the Company's pricing structure will also be included in the AWMP update.

## ADDITIONAL EFFICIENT WATER MANAGEMENT PRACTICES

In addition to the critical EWMPs discussed above, Water Code § 10608.48(c) identifies additional EWMPs which are to be implemented if the measures are locally cost effective and technically feasible. These additional EWMPs are referred to in DWR's AWMP Guidebook as Conditional EWMPs.

The Company has evaluated many of the Conditional EWMPs as part of the 2007 Sacramento Valley Regional Water Management Plan and its updates through addressing the targeted benefits (TBs) and quantifiable objective (QOs). The Company may further address Conditional EWMPs at a future date.

# EXHIBIT 1

# AGRICULTURAL WATER MEASUREMENT REGULATION

**California Code of Regulations**
**Title 23. Waters**
**Division 2. Department of Water Resources**
**Chapter 5.1. Water Conservation Act of 2009**
**Article 2. Agricultural Water Measurement**

## §597. Agricultural Water Measurement

Under the authority included under California Water Code §10608.48(i)(1), the Department of Water Resources (Department) is required to adopt regulations that provide for a range of options that agricultural water suppliers may use or implement to comply with the measurement requirements in paragraph (1) of subdivision (b) of §10608.48.

For reference, §10608.48(b) of the California Water Code states that:

> *Agricultural water suppliers shall implement all of the following critical efficient management practices:*
>
> *(1) Measure the volume of water delivered to customers with sufficient accuracy to comply with subdivision (a) of Section 531.10 and to implement paragraph (2).*
>
> *(2) Adopt a pricing structure for water customers based at least in part on quantity delivered.*

For further reference, §531.10(a) of the California Water Code requires that:

> *(a) An agricultural water supplier shall submit an annual report to the department that summarizes aggregated farm-gate delivery data, on a monthly or bi-monthly basis, using best professional practices.*

Notes:

1. Paragraphs (1) and (2) of §10608.48(b) specify agricultural water suppliers' reporting of aggregated farm-gate water delivery and adopting a volumetric water pricing structure as the purposes of water measurement. However, this article only addresses developing a range of options for water measurement.
2. By reference, the agricultural water suppliers reporting agricultural water deliveries measured under this article shall use the reporting format and criteria developed for Water Code §531.

3. The Department shall report on the availability of new commercially available water measurement technologies and impediments to implementation of this Article when reporting to the Legislature the status of adopted Agricultural Water Management Plans in plan submittal years 2012, 2015 and every five years thereafter as required by California Water Code §10845. The Department shall also report the findings to the California Water Commission.

Note: Authority cited: Section10608.48, Water Code. Reference: Sections 531.10, 10608.48 (b), 10608.48 (i), and 10845 Water Code.

**§597.1. Applicability**

a) An agricultural water supplier providing water to 25,000 irrigated acres or more, excluding acres that receive only recycled water, is subject to this article.

b) A wholesale agricultural water supplier providing water to another agricultural water supplier (the receiving water supplier) for ultimate resale to customers is subject to this article at the location at which control of the water is transferred to the receiving water supplier. However, the wholesale agricultural water supplier is not required to measure the receiving agricultural water supplier's deliveries to its customers.

c) A water supplier providing water to wildlife refuges or habitat lands where (1) the refuges or habitat lands are under a contractual relationship with the water supplier, and (2) the water supplier meets the irrigated acreage criteria of §10608.12(a), is subject to this article.

d) An agricultural water supplier providing water to less than 10,000 irrigated acres, excluding acres that receive only recycled water, is not subject to this article.

e) An agricultural water supplier providing water to 10,000 or more irrigated acres but less than 25,000 irrigated acres, excluding acres that receive only recycled water, is not subject to this article unless sufficient funding is provided specifically for that purpose, as stated under Water Code §10853.

f) A canal authority or other entity that conveys or delivers water through facilities owned by a federal agency is not subject to this article.

g) Pursuant to §10608.8(d), an agricultural water supplier "that is a party to the Quantification Settlement Agreement, as defined in subdivision (a) of Section 1 of Chapter 617 of the Statutes of 2002, during the period within which the Quantification Settlement Agreement remains in effect," is not subject to this article.

h) Pursuant to §10608.12(a), the Department is not subject to this article.

i) An agricultural water supplier subject to Central Valley Project Improvement Act (CVPIA) (Public Law 102-575) or the Reclamation Reform Act (RRA) of 1982 shall be deemed in compliance with this article if all irrigation water delivered by that water supplier to each customer is delivered through measurement devices that meet the United States Bureau of Reclamation accuracy standards defined in Reclamation's Conservation and Efficiency Criteria Standards of 2008.

Note: Authority cited: Section10608.48, Water Code. Reference: Sections 10608.12 (a), 10608.48 (d), 10608.48 (f), 10828, and 10853 Water Code.

**§597.2. Definitions**

**a) For purposes of this article, the terms used are defined in this section.**

1) "Accuracy" means the measured volume relative to the actual volume, expressed as a percent. The percent shall be calculated as 100 x (measured value – actual value) / actual value, where "measured value" is the value indicated by the device or determined through calculations using a measured value by the device, such as flow rate, combined with a duration of flow, and "actual value" is the value as determined through laboratory, design or field testing protocols using best professional practices.

2) "Agricultural water supplier," as defined in Water Code §10608.12(a), means a water supplier, either publicly or privately owned, providing water to 10,000 or more irrigated acres, excluding acres that receive only recycled water. "Agricultural water supplier" includes a supplier or contractor for water, regardless of the basis of right, which distributes or sells water for ultimate resale to customers. "Agricultural water supplier" does not include the Department.

3) "Approved by an engineer" means a California-registered Professional Engineer has reviewed, signed and stamped the plans, design, testing, inspection, and/or documentation report for a measurement device as described in this article.

4) "Best professional practices" means practices attaining to and maintaining accuracy of measurement and reporting devices and methods described in this article, such as operation and maintenance procedures and practices recommended by measurement device manufacturers, designers, and industry professionals.

5) "Customer" means the purchaser of water from an agricultural water supplier who has a contractual arrangement with the agricultural water supplier for the service of conveying water to the customer delivery point.

6) "Delivery point" means the location at which the agricultural water supplier transfers control of delivered water to a customer or group of customers. In most instances, the transfer of control occurs at the farm-gate, which is therefore, a delivery point.

7) "Existing measurement device," means a measurement device that was installed in the field prior to the effective date of this article.

8) "Farm-gate," as defined in Water Code §531(f), means the point at which water is delivered from the agricultural water supplier's distribution system to each of its customers.

9) "Irrigated acres," for purposes of applicability of this article, is calculated as the average of the previous five-year acreage within the agricultural water supplier's service area that has received irrigation water from the agricultural water supplier.

10) "Manufactured device" means a device that is manufactured by a commercial enterprise, often under exclusive legal rights of the manufacturer, for direct off-the-shelf purchase and installation. Such devices are capable of directly measuring flow rate, velocity, or accumulating the volume of water delivered, without the need for additional components that are built on-site or in-house.

11) "Measurement device" means a device by which an agricultural water supplier determines the numeric value of flow rate, velocity or volume of the water passing a designated delivery point. A measurement device may be a manufactured device, on-site built device or in-house built device.

12) "New or replacement measurement device" means a measurement device installed after the effective date of this article.

13) "Recycled water" is defined in subdivision (n) of §13050 of the Water Code as water that, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur, and is therefore considered a valuable resource.

14) "Type of device" means a measurement device that is manufactured or built to perform similar functions. For example, rectangular, v-notch, and broad crested weirs are one type of device. Similarly, all submerged orifice gates are considered one type of device.

Note: Authority cited: Section10608.48, Water Code. Reference: Sections 10608.12 (a), 10608.12 (m), 10608.48, and 10813 Water Code.

**§597.3 Range of Options for Agricultural Water Measurement**

An agricultural water supplier subject to this article shall measure surface water and groundwater that it delivers to its customers pursuant to the accuracy standards in this section. The supplier may choose any applicable single measurement option or combination of options listed in paragraphs (a), or (b) of this section. Measurement device accuracy and operation shall be certified, tested, inspected and/or analyzed as described in §597.4 of this article.

**a) Measurement Options at the Delivery Point or Farm-gate of a Single Customer**

An agricultural water supplier shall measure water delivered at the delivery point or farm-gate of a single customer using one of the following measurement options. The stated numerical accuracy for each measurement option is for the volume delivered. If a device measures a value other than volume, for example, flow rate, velocity or water elevation, the accuracy certification must incorporate the measurements or calculations required to convert the measured value to volume as described in §597.4(e).

1) An existing measurement device shall be certified to be accurate to within ±12% by volume.

and,

2) A new or replacement measurement device shall be certified to be accurate to within:

    A) ±5% by volume in the laboratory if using a laboratory certification;

    B) ±10% by volume in the field if using a non-laboratory certification.

**b) Measurement Options at a Location Upstream of the Delivery Points or Farm-gates of Multiple Customers**

1) An agricultural water supplier may measure water delivered at a location upstream of the delivery points or farm-gates of multiple customers using one of the measurement options described in §597.3(a) if the downstream individual customer's delivery points meet either of the following conditions:

    A) The agricultural water supplier does not have legal access to the delivery points of individual customers or group of customers downstream of the point of measurement needed to install, measure, maintain, operate, and monitor a measurement device.

    Or,

    B) The measurement options in §597.3(a) cannot be met, as approved by an engineer, by installing a commercially available measurement device, that is comparable in cost to other measurement devices commonly in use, at each of the downstream individual customer's delivery points because small differentials in water level or large fluctuations in flow rate or velocity occur during the delivery season at those delivery points. When a water measurement device becomes commercially available, that is comparable in cost to other measurement devices commonly in use, and that can meet the measurement options in §597.3(a)(2) at the individual customer's delivery points, an agricultural water supplier shall include in its Agricultural Water Management Plan a schedule, budget and finance plan to measure water at

the individual customer delivery points in compliance with §597.3(a) of this Article.

2) An agricultural water supplier choosing an option under paragraph (b)(1) of this section shall provide the following documentation in its Agricultural Water Management Plan(s) submitted pursuant to Water Code §10826:

A) When applicable, to demonstrate lack of legal access at delivery points of individual customers or group of customers downstream of the point of measurement, the agricultural water supplier shall self-certify to the Department that it has sought and been denied access from its customers to measure water at those customer delivery points.

B) When applicable, the agricultural water supplier shall document that the field or flow condition(s) described in §597.3(b)(1)(B) exist at individual customer's delivery points downstream of the point of measurement as approved by an engineer.

C) The agricultural water supplier shall document all of the following criteria about the methodology it uses to apportion the volume of water delivered to the individual downstream customers:

(i) How it accounts for differences in water use among the individual customers based on but not limited to the duration of water delivery to the individual customers, annual customer water use patterns, irrigated acreage, crops planted, and on-farm irrigation system,

and;

(ii) That it is sufficient for establishing a pricing structure based at least in part on the volume delivered,

and;

(iii) That it was approved by the agricultural water supplier's governing board or body.

Note: Authority cited: Section10608.48, Water Code. Reference: Sections 531.10, 10608.48 i (1), and 10826 Water Code.

**§597.4 Accuracy Certification, Records Retention, Device Performance, and Reporting**

**a) Initial Certification of Device Accuracy**

The accuracy of an existing, new or replacement measurement device or type of device, as required in §597.3, shall be initially certified and documented as follows:

1) For existing measurement devices, the device accuracy required in section 597.3(a) shall be initially certified and documented by either:

A) Field-testing that is completed on a random and statistically representative sample of the existing measurement devices as described in §597.4(b)(1) and §597.4(b)(2). Field-testing shall be performed by individuals trained in the use of field-testing equipment, and documented in a report approved by an engineer.

Or,

B) Field-inspections and analysis completed for every existing measurement device as described in §597.4(b)(3). Field-inspections and analysis shall be performed by trained individuals in the use of field inspection and analysis, and documented in a report approved by an engineer.

2) For new or replacement measurement devices, the device accuracy required in sections 597.3 (a)(2) shall be initially certified and documented by either:

A) Laboratory Certification prior to installation of a measurement device as documented by the manufacturer or an entity, institution or individual that tested the device following industry-established protocols such as the National Institute for Standards and Testing (NIST) traceability standards. Documentation shall include the manufacturer's literature or the results of laboratory testing of an individual device or type of device.

Or,

B) Non-Laboratory Certification after the installation of a measurement device in the field, as documented by either:

(i) An affidavit approved by an engineer submitted to agricultural water supplier of either (1) the design and installation of an individual device at a specified location, or (2) the standardized design and installation for a group of measurement devices for each type of device installed at specified locations.

Or,

(ii) A report submitted to the agricultural water supplier and approved by an engineer documenting the field-testing performed on the installed measurement device or type of device, by individuals trained in the use of field testing equipment.

**b) Protocols for Field-Testing and Field-Inspection and Analysis**

1) Field-testing shall be performed for a sample of existing measurement devices according to manufacturer's recommendations or design specifications and following best professional practices. It is recommended that the sample size be no less than

10% of existing devices, with a minimum of 5, and not to exceed 100 individual devices for any particular device type. Alternatively, the supplier may develop its own sampling plan using an accepted statistical methodology.

2) If during the field-testing of existing measurement devices, more than one quarter of the samples for any particular device type do not meet the criteria pursuant to §597.3(a), the agricultural water supplier shall provide in its Agricultural Water Management Plan, a plan to test an additional 10% of its existing devices, with a minimum of 5, but not to exceed an additional 100 individual devices for the particular device type. This second round of field-testing and corrective actions shall be completed within three years of the initial field-testing.

3) Field-inspections and analysis protocols shall be performed and the results shall be approved by an engineer for every existing measurement device to demonstrate that the design and installation standards used for the installation of existing measurement devices meet the accuracy standards of §597.3(a) and operation and maintenance protocols meet best professional practices.

**c) Records Retention**

Records documenting compliance with the requirements in §597.3 and §597.4 shall be maintained by the agricultural water supplier for ten years or two Agricultural Water Management Plan cycles.

**d) Performance Requirements**

1) All measurement devices shall be correctly installed, maintained, operated, inspected, and monitored as described by the manufacturer, the laboratory or the registered Professional Engineer that has signed and stamped certification of the device, and pursuant to best professional practices.

2) If an installed measurement device no longer meets the accuracy requirements of §597.3(a) based on either field-testing or field-inspections and analysis as defined in sections 597.4 (a) and (b) for either the initial accuracy certification or during operations and maintenance, then the agricultural water supplier shall take appropriate corrective action, including but not limited to, repair or replacement to achieve the requirements of this article.

**e) Reporting in Agricultural Water Management Plans**

Agricultural water suppliers shall report the following information in their Agricultural Water Management Plan(s):

1) Documentation as required to demonstrate compliance with §597.3 (b), as outlined in section §597.3(b)(2), and §597.4(b)(2).

2) A description of best professional practices about, but not limited to, the (1) collection of water measurement data, (2) frequency of measurements, (3) method for determining irrigated acres, and (4) quality control and quality assurance procedures.

3) If a water measurement device measures flow rate, velocity or water elevation, and does not report the total volume of water delivered, the agricultural water supplier must document in its Agricultural Water Management Plan how it converted the measured value to volume. The protocols must follow best professional practices and include the following methods for determining volumetric deliveries:

    A) For devices that measure flow-rate, documentation shall describe protocols used to measure the duration of water delivery where volume is derived by the following formula: Volume = flow rate x duration of delivery.

    B) For devices that measure velocity only, the documentation shall describe protocols associated with the measurement of the cross-sectional area of flow and duration of water delivery, where volume is derived by the following formula: Volume = velocity x cross-section flow area x duration of delivery.

    C) For devices that measure water elevation at the device (e.g. flow over a weir or differential elevation on either side of a device), the documentation shall describe protocols associated with the measurement of elevation that was used to derive flow rate at the device. The documentation will also describe the method or formula used to derive volume from the measured elevation value(s).

4) If an existing measurement device is determined to be out of compliance with §597.3, and the agricultural water supplier is unable to bring it into compliance before submitting its Agricultural Water Management Plan, the agricultural water supplier shall provide in its plan, a schedule, budget and finance plan for taking corrective action in three years or less.

Note: Authority cited: Section10608.48, Water Code. Reference: Sections 531.10, 10608.48 i (1), and 10826 Water Code.

# EXHIBIT 2

# NOTICE OF INTENT TO ADOPT
# AGRICULTURAL WATER MANAGEMENT PLAN

# APPEAL-DEMOCRAT

1530 Ellis Lake Drive, Marysville, CA 95901
(530) 749-4700

This space is for the County Clerk's filing stamp.

## Affidavit of Publication

(2015.5 C.C.P)

## STATE OF CALIFORNIA,

## Counties of Yuba and Sutter

**Sutter Mutual Water Company**

**Notice of Availability**

I am not a party to, nor interested in the above entitled matter. I am the principal clerk of the printer and publisher of THE APPEAL-DEMOCRAT, a newspaper of general circulation, printed & published in the City of Marysville, County of Yuba, to which Newspaper has been adjudged a newspaper of general circulation by The Superior Court of the County of Yuba, State of California under the date of November 9, 1951, No. 11481, and County of Sutter to which Newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sutter, State of California under the date of May 17, 1999, Case No. CV PT99-0819 that the notice of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

**January 30, February 4, 2013**

I declare under penalty of perjury that the foregoing is true and correct.
Executed at Marysville, California

**February 4, 2013**

Date: _____

Kellee Smith

(Signature)

## PROOF OF PUBLICATION

**NOTICE OF AVAILABILITY:**
**AGRICULTURAL WATER MANAGEMENT PLAN**

Notice is hereby given that Sutter Mutual Water Company's (SMWC) proposed Agricultural Water Management Plan (AWMP), prepared pursuant to Water Code ÃõÃõ 10820 et seq., the Water Conservation Act of 2009, is now available for public inspection at the Sutter Mutual Water Company Office, 15094 Cranmore Road, Robbins, CA 95676. Public comments on the proposed plan will be received for consideration by the SMWC Board of Directors until February 11, 2013 at the Sutter Mutual Water Company Office, 15094 Cranmore Road, Robbins, CA 95676. SMWC will receive comments regarding the AWMP, and then the Board of Directors will adopt the AWMP as drafted or modified during its regular Board of Directors meeting scheduled for Wednesday, February 13, 2013 at 9:00 a/m at the SMWC Office address and location noted above.

Jan. 30 & Feb. 4, 2013. Ad #00150131

# EXHIBIT 3

# BOARD RESOLUTION ADOPTING
# AGRICULTURAL WATER MANAGEMENT PLAN

**SUTTER MUTUAL WATER COMPANY (SMWC)**

**RESOLUTION NO. SMWC-2013-1**

# RESOLUTION TO ADOPT THE AGRICULTURAL WATER MANAGEMENT PLAN

**WHEREAS**, the Legislature has codified the Agricultural Water Management Planning Act (AWMPA), at Water Code sections 10800-10853, thereby requiring certain agricultural water suppliers to prepare and adopt an Agricultural Water Management Plan (AWMP) to achieve the conservation of water;

**WHEREAS**, the AWMPA defines an "agricultural water supplier" as a water supplier, either publicly or privately owned, providing water to 10,000 or more irrigated acres, excluding recycled water, and requires an agricultural water supplier serving water to at least 25,000 acres to prepare an AWMP;

**WHEREAS**, an AWMP must contain information regarding an agricultural water supplier's service area, quantity and quality of water supplies, and specific water use efficiency information;

**WHEREAS**, an agricultural water supplier that is required to submit a water conservation plan to the U.S. Bureau of Reclamation (USBR) pursuant to the Central Valley Project Improvement Act (CVPIA) or Reclamation Reform Act of 1982 (RRA), or both, may submit those plans in satisfaction of the substantive AWMP requirements contained in the AWMPA;

**WHEREAS**, in 2007, **Sutter Mutual Water Company** and other Sacramento River Settlement Contractors (SRSCs) developed the SRSCs Regional Water Management Plan (RWMP) for submittal to the USBR pursuant to the applicable CVPIA and RRA requirements for water conservation plans;

**WHEREAS**, in 2009, **Sutter Mutual Water Company** and the SRSCs prepared an update to the RWMP (2009 Update), and in cooperation with the USBR, they most recently prepared the 2010/2011 update to the RWMP (2010/2011 Update);

**WHEREAS**, the RWMP, the 2009 Update, and the 2010/2011 Update, collectively, contain the requisite information for **Sutter Mutual Water Company's** water conservation plan submittals to the USBR, **Sutter Mutual Water Company** has submitted them to the USBR in

satisfaction of its water conservation plan obligations, and the USBR has accepted these submittals as adequate;

**WHEREAS, Sutter Mutual Water Company** has prepared its Water Measurement Compliance Program pursuant to Water Code section 10608.48, including a report regarding efficient water management practices; and

**WHEREAS**, the RWMP, the 2009 Update, the 2010/2011 Update, and the Water Measurement Compliance Program, collectively, contain the requisite information to satisfy the substantive AWMP requirements required under the AWMPA.

**NOW, THEREFORE, BE IT RESOLVED** by **Sutter Mutual Water Company** Board of Directors as follows:

1. The foregoing recitals and findings, and each of them, are true and correct.

2. The Board hereby adopts the RWMP, the 2009 Update, the 2010/2011 Update, and the Water Measurement Compliance Program, collectively, as **Sutter Mutual Water Company**'s Agricultural Water Management Plan required under the AWMPA.

**PASSED AND ADOPTED** by unanimous vote of the Board of Directors on **February 13, 2013**.

**I HEREBY CERTIFY** that the forgoing is a true and correct copy of the resolution of the Board of Directors of **Sutter Mutual Water Company** as duly passed and adopted by said Board on the **13th day of February, 2013**.

President of the Board of Directors

By: _____

Secretary of the Board of Directors

By: _____